IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2099 OF 2003

IN

SUMMONS FOR JDUGMENT NO. 495 OF 2002

IN

SUIT NO. 3403 OF 2001

Mr. Anand B. Castelino. .. Plaintiff.

vs.

M/s. Kerla Soaps & Oils Ltd., .. Defendant.

T. Rajaram Mohan Roy for plaitniff.

None for defendants.

CORAM : S.U.KAMDAR, J.

DATE : 28th OCTOBER, 2005.

P.C.

. The motion is for restoration of Summary Suit No. 3403 of 2001 with sumons for judgment No. 495 of 2002 which has been dismissed for default. 29.1.2001. The only ground given in the affidavit in support is that the client should not suffer for the default of the advocate. I am not at all satisfied with the ground set out. However, the learned advocate for the plaintiff states that the matter be restored and be heard on merits if

necessary on payment of costs. There is no affidavit in reply to the motion. In that view of the matter, I make motion absolute in terms of prayer clause (a). Summary Suit No. 3403 of 2001 with summons for jdugment no. 495 of 2002 to be on board on 24.11.2005 for hearing and final disposal. The plaintiff to pay cost quantified at Rs. 5000/- to the Maharshtra State Legal Services Authority within three weeks. Motion disposed of accordingly.